

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 27, 1949  
10:00 AM

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-Tem Drake presiding.

## Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake  
Absent: Mayor Glass

Present also: Guiton Morgan, City Manager; Trueman E. O' Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police; Beverly Sheffield, Director of Recreation.

The minutes of the previous meeting were read; and upon motion of Councilman MacCorkle, seconded by Councilman Long, were approved by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake

Noes: None

Absent: Mayor Glass

The City Manager presented the request of RALPH OAKLEY to build and operate a drive-in gasoline filling station at 309 South Lamar Boulevard. He explained that some states and cities had outlawed the self-service filling stations; and that in some cities that permitted them, the fire marshall prohibited them; but there is no conflict with our city ordinance. The Building Inspector stated the pumps had the approval of the Underwriters. He explained that some of the major oil companies were opposed to this type of station, although some felt there were more safety devices on these than others, and less gas spilled. The Building Inspector stated if all safety requirements were met and they operated under the filling station ordinance, this station would be in compliance. There was a question about the automatic nozzle raised from the State Weights and Measures Division, but the Building Inspector was not familiar with the question raised by the Fire Marshall on the automatic nozzels. MR. E. G. KINGSBURY, representing the applicant, stated the price of gasoline would be four cents under the regular price, and that people servicing their own cars would take care in not spilling gas in the interest of their own economy.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of Lamar Boulevard north of Butler Road, which property fronts approximately 178 feet on Lamar Boulevard, same being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, and hereby authorizes the said Ralph Oakely to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Ralph Oakely has failed, and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake

Noes: None

Absent: Mayor Glass

After the adoption of the above resolution, approving the filling station site at 309 South Lamar Boulevard, it was stated that this particular self-service station, the first in Austin, would be closely watched. The Council instructed that an extensive study be made of this station by the Fire Marshall and Building Inspector, in order that the City's regulations might be changed if necessary.

The Mayor Pro-tem proclaimed the period from November 14th to November 19th as PHILLIPINES BOOK WEEK and urged all the citiznes to take advantage of this opportunity to contribute worth-while books if they desired.

Following the recommendation of the City Manager and the Chief of Police, Councilman Long moved that the Taxicab Drivers' Permit of EARNEST FRANK WIGET be revoked, as he was arrested for driving while intoxicated and involved in an accident. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake

Noes: None

Absent: Mayor Glass

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on March 4, 1943, Phillip Baker made arrangements with the City of Austin to purchase the title of the City of Austin to the center 45' x 210' of Lot 6, Outlot 55, Division "B", in the City of Austin for the sum of Seven Hundred Dollars (\$700.00), payable in installments, plus interest on balances due and subject to taxes which would accrue subsequent to the date of such contract; and

WHEREAS, the sum of Two Hundred Forty Dollars (\$240.00) has been paid on said contract and there remains now due, including accrue taxes and interest, the sum of Eight Hundred Eighty-Nine Dollars and Forty - six Cents (\$889.46); Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That upon payment, in cash, of the sum of Eight Hundred Eighty-Nine Dollars and Forty-six Cents (\$889.46) by or on behalf of Phillip Baker, Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute a special warranty deed to Phillip Baker conveying to him all title of the City in and to the property above described.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Resubdivision of a Portion of Block J, Highland Park West, " approved by the City Plan Commission of the City of Austin on October 13, 1949, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

Which motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro- Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute for and on behalf of the City of Austin a deed conveying to Westernfield Development Company fifty-six (56) square feet of land, same being out of a certain 0.276 of one acre tract of land out of that certain tract of land marked "Reserved" on a map or plat of Enfield "A", a subdivision of a portion of Outlots 6, 7 and 8, Division 2 of the Government Outlots adjoining the Original City of Austin, all in the City of Austin, Travis County, Texas, and in accordance with the terms and provisions of that certain deed a copy of which is attached to this Resolution and made a part hereof for all purposes.

Which motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake

Noes: None

Absent: Mayor Glass

With respect to the above action, Councilman Johnson requested that the public be cautioned to be sure that their building lines were correct, as she did not feel that the Council should give in to these errors. The Building Inspector stated the Engineering Department furnished the building lines to his office, and his office checked them with regard to the buildings.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST 49 $\frac{1}{2}$  STREET ALLEY, from a point 95 feet East of Bennett Avenue Easterly 98 feet, the centerline of which gas main shall be 5 feet south of and parallel to the north property line of said EAST 49 $\frac{1}{2}$  STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$  feet.

(2) A gas main in WEST 11TH STREET, from a point 173 feet West of Essex Avenue westerly 15 feet, the centerline of which gas main shall be 7 feet south of and parallel to the north property line of said WEST 11TH STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$  feet.

(3) A gas main in EVANS AVENUE, from a point 353 feet north of East 54th Street north 124 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the East property line of said EVANS AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in ASHBY AVENUE, from a point 131 feet west of Burford Place westerly 83 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said ASHBY AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in SOUTH 3RD STREET, from a point 70 feet north of West Monroe Street North 37 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SOUTH 3RD STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in COLLIER STREET, from a point 22 feet west of Oxford Avenue westerly 73 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said COLLIER STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

Which motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Johnson introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING AN ALLEY TRAVERSING PARK VIEW SUBDIVISION, AS SHOWN ON A PLAT OF PARK VIEW SUBDIVISION OF RECORD IN BOOK 5, PAGE 69, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BUT RETAINING EASEMENTS IN SAID ALLEY FOR ALL PUBLIC UTILITIES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake then announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute to Claybourne Yancy and wife, Carrie Lee Yancy, for the consideration hereinafter stated, a quitclaim deed, quitclaiming to the said Yancy and wife all right, title and interest of the City of Austin in 58 square feet of land, being out of and a part of a certain lot, tract, or parcel of land out of Block 58 of Christian and Fellman Addition in the City of Austin, Travis County, Texas, according to a map or plat of said Christian and Fellman Addition of record in Book 1, page 73, of the Plat Records of Travis County, Texas, which was conveyed to the City of Austin by deed dated December 14, 1948, of record in Volume 943, pages 454-455, of the Deed Records of Travis County, Texas, and is Tract No. 1 in said deed, which 58 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the west right of way line of the Interregional Highway with a west line of the aforementioned City of Austin tract, and from which point of beginning an iron stake at the point of intersection of the west right of way line of the Interregional Highway with the north line of East 24th Street bears S.  $30^{\circ} 46'$  W. 153.11 feet;

THENCE N.  $16^{\circ} 48'$  E. 22.39 feet to an iron stake;

THENCE S.  $60^{\circ} 30'$  E. 5.33 feet to an iron stake on the west right of way line of the Interregional Highway;

THENCE with the west right of way line of the Interregional Highway, S.  $30^{\circ} 46'$  W. 21.86 feet to the point of beginning;

and

BE IT FURTHER RESOLVED that as consideration for such quitclaim deed, the City Manager be and he is hereby authorized to accept from Claybourne Yancy and wife, Carrie Lee Yancy, and from Sam Lane, a quitclaim deed to the City of Austin of all interest owned by them in 296 square feet of land, being out of and a part of that certain lot, tract or parcel of land out of Block 58, Christian and Fellman Addition in the City of Austin, Travis County, Texas, according to a map or plat of said Christian and Fellman Addition of record in Book 1, page 73, of the Plat Records of Travis County, Texas, which 296 square feet of land lies within the fence of Claybourne Yancy and is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the west right of way line of the Interregional Highway with the south line as fenced of the said Yancy tract, and from which point of beginning an iron stake on the point of intersection of the west right of way line of the Interregional Highway with the north line of East 24th Street bears S.  $30^{\circ} 46'$  W. 129.01 feet;

THENCE with the west right of way line of the Interregional Highway, N.  $30^{\circ} 46'$  E. 45.96 feet to an iron stake on the north line of the said Yancy tract;

THENCE with the north line of said tract, S.  $60^{\circ} 30'$  E. 4.90 feet to an iron stake set on the east line as fenced of the said Yancy tract;

THENCE following said fence line, S. 26° 23' W. 44.18 feet to an iron stake set in a fence corner;

THENCE with the south line as fenced of the said Yancy tract, N. 72° 54' W. 8.42 feet to the point of beginning.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Johnson introduced the following ordinance:

AN ORDINANCE PRESCRIBING THE DUTIES AND POWERS OF THE CITY CLERK UNDER ARTICLE VII, SECTION 13, OF THE CHARTER OF THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended, and the ordinance passed to its second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended, and the ordinance passed to its third reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake then announced that the ordinance had been finally passed.



Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 21(b) AND 22(d) OF ARTICLE IV RELATING RESPECTIVELY TO NO-PARKING ZONE AND THIRTY-MINUTE ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended, and the ordinance passed to its second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended, and the ordinance passed to its third reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake then announced that the ordinance had been finally passed.

Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, WILD WEST SHOWS, THEATRICAL AND DRAMATIC PERFORMANCES, MEDICINE SHOWS, VAUDEVILLE SHOWS, MINSTREL SHOWS, MOVING PICTURE SHOWS, SKATING RINKS, CARNIVALS, MERRY-GO-ROUNDS, FERRIS WHEELS, WHIPS, SKY RIDES, HOBBY HORSES, FLYING JENNIES, BAT-A-BALLS, TILT-A-WHIRLS, PONY RIDES, KIDDY TRAINS, OR OTHER RIDING OR SKILL DEVICES OF SUCH CHARACTER, WITH OR WITHOUT NAME, AND AMUSEMENT PARKS, CONDUCTED UNDER A TENT, AWNING, CANOPY, ENCLOSURE, OR WITHIN A TEMPORARY STRUCTURE, OR OUTSIDE OF A BUILDING, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; DEFINING CERTAIN WORDS AND PHRASES; PRESCRIBING SPECIAL REGULATIONS FOR AMUSEMENT PARKS; PRESCRIBING PERMITS FOR EVERY SUCH EXHIBITION OR OPERATION AND PRESCRIBING PERMIT FEES FOR AMUSEMENT PARKS; PROVIDING FOR THE REVOCATION OR SUSPENSION OF LICENSES OR PERMITS; PRESCRIBING PENALTIES; REPEALING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL SEPTEMBER 20, 1934, AND RECORDED IN BOOK "J", PAGES 619-620, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES WHERE NOT IN CONFLICT OR INCONSISTENT THEREWITH; PROVIDING A SAVING CLAUSE; AND DECLARING AN EMERGENCY," PASSED BY THE CITY COUNCIL APRIL 23, 1942, AND RECORDED IN BOOK "L", PAGES 244-247, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1, SUB-PARAGRAPH (a), AND SECTION 5 OF SAID ORDINANCE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman MacCorkle moved that the rule be suspended, and the ordinance passed to its second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the second time, and Councilman MacCorkle moved that the rule be suspended, and the ordinance passed to its third reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

The ordinance was read the third time, and Councilman MacCorkle moved that the ordinance be finally passed. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake then announced that the ordinance had been finally passed.

With reference to the passage of the "carnival ordinance" above, there was a discussion as to the amount of fees to be charged, and it was felt that the present license fee of \$10.00 should be raised, but the Council took no action on this and instructed the City Manager to study this fee in line with the study he is making of other fees charged by the City.

The City Manager presented the matter of opening Woodrow Street through the Joseph Estate. The Subdivider in that area has offered to build the street provided the necessary right-of-way could be obtained. The City Manager stated this would be very desirable, as Woodrow Street would then be another north and south boulevard and would be a big improvement to the traffic in that area. He stated two methods could be undertaken in getting the right-of-way for this street: (1) To see if the Josephs would deed the City the right-of-way in exchange of the benefits that the street, built by the sub-divider, would be to the property; and (2) For the City to condemn the property and pay the condemnation price, order the street paved, and assess 90% against the abutting property owners. The City Manager stated that up to this time the Joseph Estate had refused to convey the right-of-way. Councilman Johnson moved that the City Manager be instructed to negotiate with the Joseph Estate for the right-of-way for both Woodrow Street and for Grover Avenue. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Drake

The following petition was referred to the Council by the City Manager:

"We the following citizens who own our homes, on East Thirty-eights and one half Street have learned that a proposed new cross-town street is under consideration in the future, and that it is anticipated that this street will begin in our vicinity.

"Before any action in this connection is begun by you, we want to go on record as being opposed to this new highway being considered for our street for the following reasons:

"1st. Our lots are all short lots, the depth being approximately 105 feet and if any portion of the property were to be dedicated to the street, our homes which do not sit very far back from the street as it is now, would be about on the curb of the new street.

"2nd. Increased traffic would be a hazard to our children.

"3rd. Our present homes would be no longer desirable as homesites, because it would not be long before some commercial enterprise would

want to move in our community.

"4th. We are a working class of people and do not have financial means to move away and begin looking for other homesites.

"For the above reasons we urgently pray that you consider some other street which is not so densely populated for this venture.

"Respectfully submitted, MR. AND MRS. J. D. McFARLAND, and others.

The Council read and received the above petition, signed by approximately twenty-three property owners.

The City Manager reported to the Council that the Government had approved the transfer of title of the Butler Housing Project to the City of Austin, effective November 1, 1949.

The Council deferred setting a date for meeting with the School Board until the return of Mayor Glass.

The matter of widening West 7th Street from Colorado to Guadalupe was presented by the City Manager. He stated that about 75% of the property owners were in favor of the widening, and the purchase of any property is not involved, but setting the curb back would be involved. He stated that there were two churches involved. One church would have to pay about \$570.00 and the other \$1,580. The City Manager recommended to the Council that the Council direct that the usual procedure be followed in inaugurate this widening on the assessment basis, as there are no homesites involved and most of the owners wanted the street widened; and that the element of cost was of concern to only the two churches. Councilman MacCorkle moved that the recommendation of the City Manager be accepted, and he be instructed to proceed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Johnson moved that the regular meeting day of the Council on November 24, 1949, be changed for that week and that the Council meet on November 23rd, 1949, to observe November 24th as THANKSGIVING DAY. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake  
Noes: None  
Absent: Mayor Glass

The City Manager submitted the following Bid analyses for 10,000 G.P.M. High Service Pump and Memorandum from the Director of Utilities dated October 27, 1949 recommending that the award be made to Alliger & Sears for the DeLaval Pump and 900 HP Motor at a delivered price of \$17,500.00.

" BID ANALYSES FOR 10,000 G.P.M. HIGH SERVICE PUMP

FILTRATION PLANT

	<u>SAMSCO</u>	<u>FAIRBANKS- MORSE</u>	<u>ALLIS- CHALMERS</u>	<u>ALLIGER &amp; SEARS</u>
Net Bid - F.O.B. Austin	\$ 17,004.00	\$ 16,953.00	\$ 17,899.00	\$ 17,500.00
Operating Cost - 10 years	269,300.00	288,240.00	270,710.00	265,920.00
Installation Cost	2,000.00	2,000.00	2,000.00	2,000.00
Interest - 10 Years- 5%	8,530.00	8,475.00	8,950.00	8,750.00
Total	\$279,830.00	\$298,715.00	\$281,660.00	<u>\$276,670.00</u>
Difference in Total Cost (10 Years)	3,160.00	22,045.00	4,990.00	Lowest Cost

Specifications Provide:

Power Rate \$.01/KWH

Interest Rate 5%

Depreciation  
Rate 10% (Straight Line)"

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"October 27, 1949

"Memorandum to: Mr. Guiton Morgan, City Manager

Subject: Award of 10,000 GPM High Service Water Pump

"Bids for one 10,000 GPM High Service Pump and 900 HP Motor were received, opened and read at 10:00 A.M. on September 1, 1949. These bids were duly tabulated and analyzed.

"Four bids are as follows:

Samsco	\$17,004.00
Fairbanks-Morse	16,953.00
Allis-Chalmers	17,899.00
Alliger & Sears (DeLaval)	17,500.00

"However, after evaluating the bids on conditions set forth in the specifications over a period of 10 years with the operating efficiencies as given by the various bidders of their particular pumps, the bid of Alliger & Sears of Houston, Texas on the DeLaval Pump was the lowest and best bid. Considering the initial cost, interest on the investment and 10 years of operating cost, we find the following

evaluated results:

Samsco	\$279,830.00
Fairbanks-Morse	298,715.00
Allis-Chalmers	281,660.00
Alliger & Sears (DeLaval)	<u>276,670.00</u>

"We would, therefore, recommend that the award be made to Alliger & Sears for the DeLaval Pump and 900 HP Motor at a delivered price of \$17,500.00.

"It will require six (6) months for delivery of this pump but with all preliminary piping, foundations, etc. done before receiving the pump, it should be ready for service by May 1, 1950 in time for the peak load.

"It is estimated that it will cost approximately \$6,000 to install this pump in our present pump room at the Filter Plant. It will, in fact, replace a small 3500 GPM pump. Considerable time and study has been given to whether or not we should keep this smaller pump in place and add to our pump room, however, the addition to the pump room would entail an additional \$10,000 of expense which we feel would not be warranted.

Director of Utilities"

The City Manager recommended to the Council that the Award be made to Alliger & Sears, as the initial cost was not the basis for award, but the operation, installation cost, depreciation, etc all entered into the cost, and that the bid of Alliger & Sears on a ten year period for \$276,670.00 was the low bid based on operation. He stated it was a budget item and had to go in next year, and the order had to be placed now.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and considered the bids of four (4) companies, for the furnishing of one 10,000 GPM High Service Pump and 900 HP Motor; and

WHEREAS, the bid of Alliger & Sears, of Houston, Texas, on the DeLaval pump, being for the sum of \$17,500.00, was found to be the best bid of the four bids submitted; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to enter into a contract with the Alliger & Sears company, Houston, Texas, for the purchase of one 10,000 GPM High Service Pump and 900 HP Motor, which is to be installed in the present pump room of the Filter Plant.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake

Noes: None

Absent: Mayor Glass

Councilman MacCorkle moved that the following request for change of zoning be referred to the Zoning Board of Adjustment for consideration and recommendation:

L. M. RANDOLPH and	Lot 5, Blk. 4	From "C" Commercial
ANNIE MAE RANDOLPH	1212 Chicon Street	To "C-1" Commercial

The motion, seconded by Councilman Long, carried by the following vote:  
 Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake  
 Noes: None  
 Absent: Mayor Glass

The following applications for change of zoning were advertised for public hearing this date:

STANLEY S. SMITH	1510 East Avenue	From "B" Residential
		To "C" Commercial
		RECOMMENDED by the Zoning Board of Adjustment

The Zoning Board recommended this location, together with three adjoining lots, 1504, 1506, and 1508 East Avenue. The owners and neighbors of these lots appeared in opposition; and after discussion they decided they might favor the zoning change and asked the Council to postpone their vote until the following Thursday, and they will get together and ascertain whether or not they would include their lots in the request for change of zoning. These property owners are ELLEN LINDEN, A. MITTENBERG, and ANNA B. KLEIN. The Council deferred action on this request until the following Thursday at the request of the property owners. MR. STANLEY S. SMITH was appearing in his own behalf in favor of the change.

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KNIGHTS OF COLUMBUS, by		From "B" Residential
Edward Joseph, President	108 W. 14th Street	To "C" Commercial
		RECOMMENDED by the Zoning Board of Adjustment

MR. EDWARD JOSEPH appeared representing the Knights of Columbus in this request. There was no opposition, and Councilman MacCorkle moved that the recommendation of the Zoning Board be followed and that the change be granted, and the City Attorney be instructed to prepare the necessary ordinance. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
 Noes: None  
 Absent: Mayor Glass

Councilman Long moved that the following requests for change of zoning, after having been heard and considered by the Zoning Board of Adjustment, be set for public hearing Wednesday, November 23, 1949, at 2:30 P.M.

W. E. PHILLIPS	Lot 10, Blk. 1, Outlot 34, Division "B", se corner E. 13th and Chicon Street, City of Austin. (1207 Chicon)	From "C" Commercial To "C-1" Commercial NOT Recommended by the Zoning Board of Adjustment.
KENNETH R. LAMKIN, Atty. for ELBERT VAN DYKE	1100 Blk. north side of E. 11th between Waller and Lydia, the south half of Lots 58 through 62, Outlot 55, Division C.	From "C-1" Commercial To "C-2" Commercial NOT Recommended by the Zoning Board of Adjustment.
MRS. W. H. MILES, et al	West half of Lots 1 through 9, Outlot 50, Division B, being the west half of the block bounded by San Antonio St., Guadalupe St., W. 25th and W. 26th St., known as the 2500 Block of San Antonio Street	From "C-1" Commercial To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment.

The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-tem Drake

Noes: None

Absent: Mayor Glass

There being no further business, the Council adjourned at 4:00 P.M. subject to the call of the Mayor; upon motion of Councilman Johnson, duly seconded.

APPROVED: \_\_\_\_\_

*W. S. Drake*  
Mayor Pro-tem

ATTEST:

*Elin Woosley*  
City Clerk